

Message Text

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S E C R E T SANTIAGO 4641

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FOR ARA, D, L AND P ONLY

E.O. 11652: GDS
TAGS: SHUM PGOV CI
SUBJECT: LETELIER/MOFFITT ASSASSINATION INVESTIGATION

REF: SANTIAGO 4562

SUMMARY: FOREIGN MINISTER ON JUNE 19 REJECTED FORMALLY OUR TWO REQUESTS FOR COOPERATION. HE ADDED THAT PINOCHET HAD BEEN GREATLY ANNOYED BY WHAT HE VIEWED AS IMPLIED THREATS BY USG DURING MEETING WITH BARROS. CUBILLOS, WHO DEPARTS TONIGHT FOR WASHINGTON, SUGGESTED THAT ITURRIAGA MIGHT RESPOND IN WRITING TO WRITTEN QUESTIONS. RECOMMENDATIONS FOR FURTHER ACTION FOLLOW BY SEPTEL. END SUMMARY.

1. AS PROMISED BY MINISTER OF INTERIOR FERNANDEZ (SEE REFTEL), FOREIGN MINISTER CUBILLOS CALLED ME TO HIS OFFICE JUNE 19 REGARDING OUR REQUESTS A) THAT THE GOC ASK THE PARAGUAYANS TO COOPERATE AND B) TO HAVE LT. COL. ITURRIAGA APPEAR BEFORE THE GRAND JURY.

2. THE FOREIGN MINISTER READ TO ME THE FOLLOWING STATE-
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MENT REGARDING COL. ITURRIAGA: 1) HE IS AN ACTIVE DUTY ARMY OFFICER DETAILED TO THE SECURITY SERVICE (CNI). AS SUCH, HE WOULD BE ASKED TO MAKE DECLARATIONS ABOUT THE SECURITY SERVICE ORGANIZATION TO WHICH HE BELONGS BEFORE AUTHORITIES OF A FOREIGN GOVERNMENT. 2) THE DUTY OF ALL CHILEAN CITIZENS TO DECLARE BEFORE A COURT IS LIMITED TO CHILEAN COURTS. TO APPEAR BEFORE FOREIGN COURTS IS

ENTIRELY VOLUNTARY FOR ALL CITIZENS WITH THE EXCEPTION OF MEMBERS OF THE ARMED FORCES, WHO ARE SUBJECT TO MILITARY REGULATIONS. 3) CHILEAN ARMY REGULATIONS (REGLAMIENTO DE SERVICIOS DE GUARNICION DEL ESTADO) AND ADDITIONAL CLASSIFIED DOCUMENTS ESTABLISHED THAT ALL STATEMENTS REGARDING ARMY INSTITUTIONS AND ORGANIZATIONS MUST BE ISSUED BY THE PUBLIC AFFAIRS DEPARTMENT OF THE ARMY AND CANNOT BE MADE BY AN INDIVIDUAL OFFICER, PARTICULARLY WHEN THE SUBJECT MATTER CONCERNS THE ORGANIZATION OF THE SECURITY SERVICES. 4) IN THE CONTINUED INTEREST TO ASSIST IN THE INVESTIGATION, THE QUESTIONS TO WHICH ANSWERS ARE DESIRED COULD BE PRESENTED INFORMALLY IN WRITING SO THAT ITURRIAGA COULD VOLUNTARILY PREPARE HIS REPLY AND FORWARD IT THROUGH OFFICIALS CHANNELS TO THE US." (FYI: THE FOREIGN MINISTER SAID "INFORMALLY" MEANS THAT THE QUESTIONS COULD BE SENT IN TELEGRAPHIC FORM TO ME. HE EXPLAINED THAT REPLY THROUGH OFFICIAL CHANNELS MEANS THAT THE ARMY WOULD CLEAR ITURRIAGA'S ANSWERS BEFORE DELIVERING THEM TO THE FOREIGN MINISTER TO BE PASSED ON TO ME. END FYI)

3. THE FOREIGN MINISTER THEN PROCEEDED TO READ TO ME WHY OUR REQUEST THAT THE GOC CALL THE PARAGUAYANS COULD NOT BE HONORED. "A) THIS WAS A DECISION TO BE MADE BY A SOVEREIGN COUNTRY REGARDING A DELICATE INTELLIGENCE MATTER. B) THIS IS A PROBLEM BETWEEN THE US AND PARAGUAY. C) CHILE
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IS IN AGREEMENT WITH WHATEVER SOLUTION CAN BE WORKED OUT BETWEEN THE TWO COUNTRIES."

4. AFTER READING ME HIS STATEMENT ON OUR TWO REQUESTS, THE FOREIGN MINISTER SAID THAT AMBASSADOR BARROS' REPORTING TELEGRAM ON HIS MEETING WITH DEPUTY SECRETARY CHRISTOPHER HAD CAUSED GREAT ANNOYANCE. CUBILLOS SAID THAT IN HIS ABSENCE (HE WAS IN PERU) THE TELEGRAM WAS TAKEN DIRECTLY TO PRESIDENT PINOCHET. PINOCHET AGREED WITH BARROS' REPORTED ASSESSMENT THAT PROPPER'S STATEMENT REGARDING POSSIBLE TESTIMONY ABOUT A CALL FROM PINOCHET TO STROESSNER CONSTITUTED AN UNACCEPTABLE THREAT AGAINST THE PRESIDENT. I EXPLAINED THAT THIS WAS NOT A THREAT. WE WERE SIMPLY LAYING OUT ALTERNATIVES IF, IN ABSENCE OF CHILEAN COOPERATION, WE HAD TO FALL BACK ON OTHER WITNESSES. THE FOREIGN MINISTER SAID THAT HE, TOO, HAD BEEN ANNOYED WHEN I TOLD HIM ON JUNE 13 (SANTIAGO 4515) THAT THE GOC REPLIES TO OUR REQUESTS WOULD NOT BE SATISFACTORY TO WASHINGTON AND MIGHT HAVE OTHER UNPLEASANT CONSEQUENCES. HE SAID AN AURA OF MUTUAL DISTRUST NOW EXISTED. ON ONE HAND THE GOC FEELS THAT WE DO NOT BELIEVE THEY REALLY PLAN TO COOPERATE IN ASSURING THAT JUSTICE BE DONE AND, THERE-

FORE, ARE WITHHOLDING VITAL INFORMATION. ON THE OTHER HAND THE CHILEAN GOVERNMENT BELIEVES THAT THERE IS INCREASING EVIDENCE THAT THE USG IS USING THE LETELIER INVESTIGATION FOR POLITICAL PURPOSES.

5. I TOLD THE FOREIGN MINISTER THAT OUR DEPARTMENTS OF JUSTICE AND STATE CONSIDERED THIS TO BE A POLICE CASE AND THAT WE ARE ONLY TAKING THEM UP ON THEIR OFFER OF COOPERATION. CUBILLOS SAID HE COULD ASSURE ME THAT GOCH COOPERATION WOULD BE FORTHCOMING IN THAT THE GUILTY WOULD BE TRIED IN THE STRICTEST MANNER IN ACCORDANCE WITH JUDICIAL PROCESSES OF CHILE. BUT SO FAR WE HAD NOT GIVEN GENERAL OROZCO ANY HELPFUL INFORMATION TO ADVANCE THE GOC INVESTIGATION. I TOLD HIM THAT ALL INFORMATION WOULD
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BE INCLUDED IN THE INDICTMENT AND REQUEST FOR EXTRADITION, WHICH WOULD PERMIT THEM TO INITIATE THEIR LEGAL PROCESSES.

6. IF OF ANY VALUE, JUSTICE MAY WISH TO SEND QUESTIONS FOR ITURRIAGA BY TELEGRAM AND I COULD SEE TO IT THAT A REPLY IS OBTAINED QUICKLY. REGARDING PARAGUAY, DEPARTMENT MAY WISH TO INFORM PARAGUAYAN FOREIGN MINISTER NOGUES OF CUBILLOS' STATEMENT THAT "CHILE IS IN AGREEMENT WITH WHATEVER SOLUTION CAN BE WORKED OUT BETWEEN THE TWO COUNTRIES."

7. COMMENT: THE RECENT WASHINGTON POST EDITORIAL CALLING FOR PINOCHET'S RESIGNATION AND TURNING OVER THE GOVERNMENT TO THE CHRISTIAN DEMOCRAT PARTY IS STILL SUBJECT OF CONTINUING PRESS SPECULATION AND THE BASIS OF VIRULENT ANTI-AMERICAN PRESS STATEMENTS. THUS, PINOCHET IS BUILDING UP A NATIONALISTIC FUROR OVER "INTERFERENCE." IT IS NOT QUITE CLEAR TO ME WHETHER THE GOVERNMENT FAILS TO COOPERATE BECAUSE THEY THINK WE DO NOT HAVE ENOUGH EVIDENCE TO CONVICT ANYONE OR WHETHER THEY ARE UNSURE OF WHAT WE HAVE AND DO NOT WANT TO INCRIMINATE THEMSELVES FURTHER. THE FOREIGN MINISTER MENTIONED TO ME THAT HE REGRETTED DEEPLY THAT THIS MATTER WAS JUST COMING TO A HEAD DURING HIS FIRST TRIP TO WASHINGTON. I SAID HE WOULD HAVE AMPLE POSSIBILITY TO EXPLAIN THE GOC POSITION TO EITHER SECRETARY VANCE OR TO DEPUTY SECRETARY CHRISTOPHER. HE SAID AT THIS POINT HE WAS NOT EVEN SURE HE WANTED TO TALK TO THEM ANY FURTHER ABOUT THIS MATTER. END COMMENT.

8. RECOMMENDATIONS FOR FURTHER ACTION FOLLOW BY SEPT. LANDAU

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